

MELICK & PORTER, LLP COVID-19 MEMO:

Melick & Porter, LLP provides you with the below update regarding the impact of COVID-19 on issues relating to insurance in the United States. The below is not meant to be all-inclusive, but provides an overview as to the trends in the United States. If you have any questions regarding any of the updates below, please do not hesitate to contact us.

SUMMARY OF IMPORTANT LEGISLATION AND EMERGENCY ORDERS AND DIRECTIVES:

Below we provide an overview as to the types of legislative actions that have been occurring, both on a federal and state level:

- The [Equal Employment Opportunity Commission](#) announced that the newest [addition](#) of the federal sector Digest of Equal Employment Opportunity Law (EEO Digest) is now available.
- In the U.S., [321 million vaccine doses](#) have been administered. In the last week, an average of 816,831 vaccine doses per day were administered.
- The [Biden administration](#) announced a number of steps to protect renters and homeowners who are still experiencing shocks from the pandemic and economic fallout.
 - The plan includes extending the eviction moratorium through July 31, 2021, urging state and local courts to participate in eviction diversion efforts, convening a White House Summit for immediate eviction prevention plans, and accelerating and broadening state and local deliveries of emergency rental assistance.
- The [Biden administration](#) announced the distribution list for 55 million of the 80 million vaccine doses that President Biden pledged to allocate by the end of June in service of ending the pandemic.
 - Approximately 41 million doses will be shared through COVAX with the following allocations: 14 million doses for Latin America and the Caribbean, 16 million doses for Asia, 10 million doses for Africa, and 14 million doses will be shared with regional priorities.
- [Dr. Ashish Jha](#), Dean of Brown University School of Public Health, warned that the U.S. will likely see a rise in new COVID-19 infections in the coming weeks due to the super contagious Delta variant.
- [Dr. Anthony Fauci](#) reported that the Delta variant currently accounts for 20% of the isolates in the U.S.

- Dr. Mike Ryan, head of the WHO’s emergencies programs, reported that the variant is the fastest and fittest coronavirus strain yet, and it will “pick off” the most vulnerable people, especially in places with low COVID-19 vaccination rates.
- Three major Massachusetts [hospital systems](#) announced they will require all employees to be vaccinated against COVID-19, including those employees who do not have direct contact with patients.
 - Leadership as Massachusetts General Brigham, Beth Israel Lahey Health, and Wellforce said requiring vaccinations is critical to halt the spread of COVID-19.
- Nearly all [COVID-19](#) deaths in the U.S. are now in people who were not vaccinated, demonstrating the effectiveness of the COVID-19 vaccines.
- Effective May 29, 2021, [Massachusetts](#) lifted all COVID-19 industry restrictions. Face coverings are still required while using public and private transportation as well as in facilities housing vulnerable populations.
- [New Hampshire](#) released Universal Best Practices which replaced all existing “Safer at Home 2.0” business operations guidance put in place in March 2020.
- [Maine](#) lifted all capacity limits and physical distancing requirements in outdoor and indoor settings, individuals who are not vaccinated are urged to continue wearing face masks.
- As of May 19, 2021, all [Connecticut](#) business sector rules enacted to prevent the spread of COVID-19 have been lifted with the exception of certain mask requirements.

INSURANCE AND COVERAGE RELATED NEWS AND ORDERS/LEGISLATION:

Below we provide an update as to regulations, news, and litigation specifically related to insurance and potential coverage.

- Several hotels owned by [Schleicher & Stebbins Hotels](#) were granted a partial win against eight insurance companies for denied insurance claims related to damages caused by the pandemic.
 - The Superior Court for the State of New Hampshire handed down a decision granting a motion for partial summary judgement filed by the hotel company, which sought to recover over \$100 million in COVID-19 related business interruption losses.
 - The hotels moved for partial summary judgement that the terms “loss or damage” and “direct physical loss of or damage to property” as used in the insurance contracts, encompassed the presence of the COVID-19 virus on the premises.

BUSINESS AND COMMERCE NEWS AND LEGISLATION RELATED TO COVID-19:

Below we discuss news regarding the economic impact of COVID-19 and measures being taken to address that.

- The [SBA](#) held a webinar as part the of “Vaccine Month of Action” with former Congressman Cedric Richmond. Over 2,000 participants joined to hear about the importance of vaccinations, action by the Biden administration to help narrow the racial wealth gap, and a reflection on President Biden signing the Juneteenth National Independence Day Act.
- The [SBA](#) announced it is reconvening the Council on Underserved Communities (CUC) under the authority of the Federal Advisory Committee Act (FACA). The restoration of the council will help support the SBA’s prioritization of equity across its programs and initiatives.
- The [IRS](#) launched two new online tools designed to help families manage and monitor the advance monthly payments of the Child Tax Credit.
 - The new Child Tax Credit Eligibility Assistant allows families to answer a series of questions to determine if they qualify for the credit, and the Child Tax Credit Update Portal allows families to verify their eligibility for the payments.
- Massachusetts opened all industries with no restrictions on May 29, 2021. Learn more about reopening Massachusetts here: <https://www.mass.gov/info-details/reopening-massachusetts>

LITIGATION/CIVIL JUSTICE SYSTEM UPDATES AND ORDERS:

Below we, highlight additional judicial orders and trends related to the COVID-19 pandemic.

- As of May 18, 2021, All [New Hampshire](#) courts clerks’ offices in all courts and committees’ offices are open to the public. Face coverings are not required; though unvaccinated individuals are urged to wear a mask.
- Beginning June 1, 2021, the [Connecticut](#) Judicial Branch resumed summoning jurors to courthouses throughout the state to restart the jury trial process. No person is permitted to enter a Judicial Branch courthouse or facility without a face covering. All Judicial Branch Law Libraries reopened to patrons on June 16, 2021.
- [Maine](#) began phase I of reopening the courts on June 1, 2021. Any person entering a courthouse must wear an approved face covering and social distancing measures must be observed. The courts will be open to the public from 8:00 AM to 4:00 PM Monday-Friday.

- State Guidance on Foreclosure proceedings:
 - Connecticut - <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-10A.pdf>
 - Rhode Island
<https://www.courts.ri.gov/Courts/SupremeCourt/SupremeExecOrders/20-12.pdf>
 - Massachusetts - [COVID-19 Eviction Information / Reliance on CDC Federal Moratorium through 06.30.2021](#)
 - New Hampshire - <https://courts-state-nh-us.libguides.com/evictions>